Case 15-31698 Doc 1 Filed 10/29/15 Entered 10/29/15 16:20:59 Desc Main Document Page 1 of 11

B1 (Official Form	L)(04/13)	United					90 - 0.			Vol	untary	Petition
•		w ester	n Distr	rict of No	orth Ca	rolina						
Name of Debtor (i Hucks Road			Middle):			Name	of Joint De	ebtor (Spouse) (Last, First	, Middle):		
All Other Names u (include married, n			8 years					used by the J maiden, and			3 years	
Last four digits of sign one, state al	Soc. Sec. or Ind	dividual-Taxpa	nyer I.D. (ITIN)/Comj	plete EIN	Last fo	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)					
Street Address of Debtor (No. and Street, City, and State): 21210 Captiva Court Cornelius, NC					Address of	Joint Debtor	(No. and St	reet, City, a	nd State):			
				Γ·	ZIP Code 28031							ZIP Code
County of Residence or of the Principal Place of Business: Mecklenburg				Count	y of Reside	ence or of the	Principal Plan	ace of Busin	ness:			
Mailing Address of	Debtor (if diff	ferent from str	eet addres	s):		Mailir	g Address	of Joint Debt	or (if differe	nt from stre	et address):	
PO Box 2326 Cornelius, N	ıc											
Cornelius, N	10			_	ZIP Code							ZIP Code
Location of Princip	al Assats of D	usinasa Dahtar		2	28031							
(if different from st	reet address ab	oove):										
	pe of Debtor nization) (Check	z one hov)			of Business			-	•		Under Which	h
☐ Individual (incl			☐ Hea	th Care Bu	,		☐ Chapt		Petition is Fi	ieu (Check	one box)	
See Exhibit D on Corporation (in				gle Asset Re		defined	☐ Chapt	er 9			etition for Re	0
☐ Partnership	ciudes EEC aii	u LLI)	in 11 U.S.C. § 101 (51B) ☐ Railroad			Chapt			Ū	Main Proceed etition for Re	C	
Other (If debtor check this box an			☐ Stockbroker☐ Commodity Broker			☐ Chapt☐				Nonmain Pro	0	
check this box an	d state type of ci	inty below.)	☐ Clea	ring Bank	KCI							
•	ter 15 Debtor		Othe		mnt Entity	,	-			e of Debts k one box)		
Country of debtor's of	enter of main int	erests:	Tax-Exempt Entity (Check box, if applicable) ☐ Debtor is a tax-exempt organization		e)	Debts are primarily consumer debts, Debts are		1 ,				
Each country in which by, regarding, or aga			unde	or is a tax-ex or Title 26 of e (the Internal	the United St	tates	es "incurred by an individual primarily for		ss debts.			
	Filing Fee (Check one box	()		Check	one box:		Chap	ter 11 Debt	ors		
Full Filing Fee at	tached							debtor as defir ness debtor as d				
Filing Fee to be p attach signed app debtor is unable t	lication for the co	ourt's considerat	ion certifyi	ng that the	Check	if: Debtor's agg	regate nonco	ntingent liquida	ated debts (exc	cluding debts	owed to inside	ers or affiliates)
Form 3A.					Check	all applicable	. , , ,	атоині ѕибјесі	to aajusimeni	On 4/01/10 t	ana every inree	years inereasier).
Filing Fee waiver attach signed app					B. 🗒 A	Acceptances	of the plan w	this petition. vere solicited pr S.C. § 1126(b).	repetition from	one or more	e classes of cree	ditors,
Statistical/Admini					ı				THIS	SPACE IS I	FOR COURT U	JSE ONLY
☐ Debtor estimate there will be no	s that, after an	y exempt prop	erty is ex	cluded and	administrat		es paid,					
Estimated Number	of Creditors								1			
1- 50- 49 99	100- 199	200-	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000				
Estimated Assets			_		_	_	_	_	1			
\$0 to \$50,00 \$50,000 \$100,0		to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion				
Estimated Liabilitie		П		П	п	П	П	П]			
\$0 to \$50,00 \$50,000 \$100,0	01 to \$100,001 to \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					

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B1 (Official Form 1)(04/13) Page 2 Name of Debtor(s): Voluntary Petition **Hucks Road Investments I, LLC** (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Location Date Filed: Where Filed: - None -Date Filed: Location Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b). and is requesting relief under chapter 11.) ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) ☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

B1 (Official Form 1)(04/13)

Voluntary Petition

(This page must be completed and filed in every case)

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

 \mathbf{X}_{-}

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Travis W. Moon

Signature of Attorney for Debtor(s)

Travis W. Moon 3067

Printed Name of Attorney for Debtor(s)

Moon Wright & Houston, PLLC

Firm Name

227 West Trade Street Suite 180 Charlotte, NC 28202

Onanotte, Ne

Address

704-944-6560 Fax: 704-944-0380

Telephone Number

October 29, 2015

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

$Signature\ of\ Debtor\ (Corporation/Partnership)$

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Phil M. Gandy, Jr.

Signature of Authorized Individual

Phil M. Gandy, Jr.

Printed Name of Authorized Individual

Manager

Title of Authorized Individual

October 29, 2015

Date

Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Name of Debtor(s):

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Hucks Road Investments I, LLC

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

v	

Date

Address

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.

CORPORATE RESOLUTION

I, the undersigned, being the Member/Manager of **Hucks Road Investments I, LLC**, a North Carolina limited liability corporation (the "Company"), having corporate headquarters located at 21210 Captiva Court, Cornelius, NC 28031, do hereby adopt the following resolutions by signing below to consent to action without holding a formal meeting of the Board of the Company:

RESOLVED, that the filing by the Company of a petition for relief under chapter 11 of title 11, United States Code (the "Bankruptcy Code"), in the United States Bankruptcy Court for the Western District of North Carolina is approved; and it is

FURTHER RESOLVED, that the officers of the Company are authorized, empowered, and directed to execute on behalf of the Company a petition for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Western District of North Carolina, and any affidavits, forms, schedules, application or any other pleadings or documents which are necessary or appropriate, including debtor-in-possession financing arrangements; and it is

FURTHER RESOLVED, that the retention on behalf of the Company of the law firm of Moon Wright & Houston, PLLC, upon such terms and conditions as the officers of the Company shall approve, to render legal services to, and to represent the Company in connection with such chapter 11 proceedings and other related matters in connection therewith, is authorized and approved; and it is

FURTHER RESOLVED, that any of the officers of the Company are each severally authorized to retain on behalf of the Company such other professionals as the officers of the Company deem necessary or appropriate, upon such terms and conditions as the officers of the Company shall approve, to render services to the Company in connection with such chapter 11 proceedings and with respect to other related matters in connection therewith; and it is

FURTHER RESOLVED, that any of the officers of the Company are authorized, empowered, and directed to take any and all further action and to execute and deliver any and all such further instruments and documents and to pay all such expenses (subject to bankruptcy court approval), where necessary or appropriate in order to carry out fully the intent and accomplish the purposes of the resolutions adopted herein; and it is

FURTHER RESOLVED, that all actions taken by the officers of the Company prior to the date hereof in connection with the reorganization of the Company or any matter related thereto, or by virtue of these resolutions, are hereby in all respects ratified, confirmed, and approved.

Dated: Charlotte, North Carolina October 29, 2015

By: /s/ Phil M. Gandy, Jr.
Name: Phil M. Gandy, Jr., Manager

MWH: 10307.001; 00014629.1

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B4 (Official Form 4) (12/07)

United States Bankruptcy CourtWestern District of North Carolina

In re	Hucks Road Investments I, LLC		Case No.		
		Debtor(s)	Chapter	11	

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Arno M Schneider Paas Trust c/o Arno JS Paas 104 Dee Drive Charleston, WV 25311	Arno M Schneider Paas Trust c/o Arno JS Paas 104 Dee Drive Charleston, WV 25311			775,000.00
Arthur H. Davis and Rose K. Davis Alfred A. Davis Revocable Trust c/o Kunkleman & Lucente 1915 Rexford Road, Suite 200 Charlotte, NC 28211	Arthur H. Davis and Rose K. Davis Alfred A. Davis Revocable Trust c/o Kunkleman & Lucente Charlotte, NC 28211			3,202,500.00
BDO Seidman 1001 Morehead Square Drive, Suite 300 Charlotte, NC 28203	BDO Seidman 1001 Morehead Square Drive, Suite 300 Charlotte, NC 28203			12,288.00
Carroll Gray & Associates 21235 Blakely Shores Drive Cornelius, NC 28031	Carroll Gray & Associates 21235 Blakely Shores Drive Cornelius, NC 28031			4,250.00
Culp, Elliot & Carpenter, PLLC 4401 Barclay Downs Drive, Suite 200 Charlotte, NC 28209	Culp, Elliot & Carpenter, PLLC□ 4401 Barclay Downs Drive, Suite 200 Charlotte, NC 28209			6,000.00
DesignCraft PA 2029 E. 9th Street Charlotte, NC 28204	DesignCraft PA 2029 E. 9th Street Charlotte, NC 28204			5,000.00
Eastfield Station, LLC PO Box 2326 Cornelius, NC 28031	Eastfield Station, LLC PO Box 2326 Cornelius, NC 28031			5,000.00
Gandy Investments, LLC PO Box 2326 Cornelius, NC 28031	Gandy Investments, LLC PO Box 2326 Cornelius, NC 28031			5,000.00
Gandy Realty, LLC PO Box 2326 Cornelius, NC 28031	Gandy Realty, LLC PO Box 2326 Cornelius, NC 28031			5,000.00

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B4 (Offi	cial Form 4) (12/07) - Cont.		
In re	Hucks Road Investments I, LLC	Case No.	
	Debtor(s)		

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Hunter Realty and West Hunter, Jr. 118 Timber Road Mooresville, NC 28115	Hunter Realty and West Hunter, Jr. 118 Timber Road Mooresville, NC 28115			162,500.00
MJ Consulting 10721 Tradition View Drive Charlotte, NC 28269	MJ Consulting 10721 Tradition View Drive Charlotte, NC 28269			1,750.00
Oakland Avenue Investments 21210 Captiva Court Cornelius, NC 28031	Oakland Avenue Investments 21210 Captiva Court Cornelius, NC 28031			337,823.00
Phil M. Gandy, Jr. 21210 Captiva Court Cornelius, NC 28031	Phil M. Gandy, Jr. 21210 Captiva Court Cornelius, NC 28031			60,000.00
PhilBec Investments, LLC PO Box 2326 Cornelius, NC 28031	PhilBec Investments, LLC PO Box 2326 Cornelius, NC 28031			22,500.00
Rebecca J. Gandy 21210 Captiva Court Cornelius, NC 28031	Rebecca J. Gandy 21210 Captiva Court Cornelius, NC 28031			5,275.00
SEPI Engineering & Construction 11020 David Taylor Drive Suite 115 Charlotte, NC 28262	SEPI Engineering & Construction 11020 David Taylor Drive Suite 115 Charlotte, NC 28262			5,000.00

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the Manager of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date	October 29, 2015	Signature	/s/ Phil M. Gandy, Jr.
			Phil M. Gandy, Jr.
			Manager

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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United	States	Bankr	uptc	y Cou	rt
Wester	n Distri	ict of No	rth (arolina	a

YY CSL	tern District of North Car	OIIIIa	
n re Hucks Road Investments I, LLC		Case No	
	Debtor	, Chapter	11
LIST OF Following is the list of the Debtor's equity security ho	EQUITY SECURITY		3) for filing in this chapter 11 ca
Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Gandy Investments, LLC PO Box 2326 Cornelius, NC 28031		100%	
DECLARATION UNDER PENALTY Of I, the Manager of the corporation name foregoing List of Equity Security Holders and Date October 29, 2015	ned as the debtor in this case, and that it is true and correct t	declare under penalty of the best of my inform s/ Phil M. Gandy, Jr.	f perjury that I have read the nation and belief.
Penalty for making a false statement or concea	М	-	nt for up to 5 years or both.

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United States Bankruptcy Court Western District of North Carolina

In re Hucks Road Investments I, LLC	Debtor(s)	Case No. Chapter	11
VERIFICAT	ION OF CREDITOR	R MATRIX	
I, the Manager of the corporation named as the debtor	in this case, hereby verify that	the attached list of	creditors is true and correct to
the best of my knowledge.			
Date: October 29, 2015	/s/ Phil M. Gandy, Jr. Phil M. Gandy, Jr./Manager		

Signer/Title

Arno M Schneider Paas Trust c/o Arno JS Paas 104 Dee Drive Charleston, WV 25311

Arthur H. Davis and Rose K. Davis Alfred A. Davis Revocable Trust c/o Kunkleman & Lucente 1915 Rexford Road, Suite 200 Charlotte, NC 28211

BDO Seidman 1001 Morehead Square Drive, Suite 300 Charlotte, NC 28203

Carroll Gray & Associates 21235 Blakely Shores Drive Cornelius, NC 28031

Culp, Elliot & Carpenter, PLLC□□ 4401 Barclay Downs Drive, Suite 200 Charlotte, NC 28209

DesignCraft PA 2029 E. 9th Street Charlotte, NC 28204

Eastfield Station, LLC PO Box 2326 Cornelius, NC 28031

Gandy Investments, LLC PO Box 2326 Cornelius, NC 28031

Gandy Realty, LLC PO Box 2326 Cornelius, NC 28031

Hunter Realty and West Hunter, Jr. 118 Timber Road Mooresville, NC 28115 Mecklenburg County Tax Collector P.O. Box 71063 Charlotte, NC 28272-1063

MJ Consulting 10721 Tradition View Drive Charlotte, NC 28269

Oakland Avenue Investments 21210 Captiva Court Cornelius, NC 28031

Phil M. Gandy, Jr. 21210 Captiva Court Cornelius, NC 28031

PhilBec Investments, LLC PO Box 2326 Cornelius, NC 28031

Rebecca J. Gandy 21210 Captiva Court Cornelius, NC 28031

SEPI Engineering & Construction 11020 David Taylor Drive Suite 115 Charlotte, NC 28262 Case 15-31698 Doc 1 Filed 10/29/15 Entered 10/29/15 16:20:59 Desc Main Document Page 11 of 11

United States Bankruptcy Court Western District of North Carolina

In re	Hucks Road Investments I, LLC		Case No.	
		Debtor(s)	Chapter	11
	CORPO	RATE OWNERSHIP STATEMENT	(RULE 7007.1)	
or reconfollow more of Gand PO Bo	usal, the undersigned counsel for ying is a (are) corporation(s), other	y Procedure 7007.1 and to enable the J Hucks Road Investments I, LLC in the than the debtor or a governmental ure by equity interests, or states that there are	he above caption nit, that directly o	ed action, certifies that the or indirectly own(s) 10% or
□ No	ne [Check if applicable]			
Octob	per 29, 2015	/s/ Travis W. Moon		
Date	56. 26, 2010	Travis W. Moon 3067		
Date		Signature of Attorney or Litig Counsel for Hucks Road Inve Moon Wright & Houston, PLLC 227 West Trade Street Suite 180 Charlotte, NC 28202 704-944-6560 Fax:704-944-0380	estments I, LLC	